

Message Text

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71-62

ORIGIN SY-05

INFO OCT-01 EUR-12 ISO-00 L-03 DODE-00 A-01 INR-07 CIAE-00

CPR-01 /030 R

DRAFTED BY A/SY/FO:MKDALTON:BS

APPROVED BY A/SY/FO - RALPH F. EARL

L/M - HFSHAMWELL (SUBS)

NAVY JAG - LT. CMDR. RDDEBOBES SU0S

DESIRED DISTRIBUTION

NAVY JAG

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P 150036Z NOV 75

FM SECSTATE WASHDC

TO AMEMBASSY WARSAW PRIORITY

INFO AMCONSUL FRANKFURT PRIORITY

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E.O. 11652: N/A

TAGS: ASEC

SUBJECT: INCIDENT INVOLVING NCOIC OF MSG COMPLEMENT, WAR-
SAW

REFERENCE: WARSAW'S 7347

1. IN REVIEWING THE REPORTS ON THE CAPTIONED SUBJECT, IT
IS NOTED THAT THE PRO MEMORIA FROM THE FOREIGN OFFICE STAT-
ED THAT BARTON IS NOT A DIPLOMAT AND IS UNDER POLISH JURIS-
DICTION.

2. ALTHOUGH NOT SPECIFICALLY STATED IN THE TELEGRAM, IT IS
PRESUMED THAT THE EMBASSY HAS RESPONDED TO THE PRO MEMORIA
WITH A STATEMENT TO THE EFFECT THAT BARTON IS A MEMBER OF
THE ADMINISTRATIVE AND TECHNICAL STAFF OF THE EMBASSY AND
HAS SO REPORTED TO THE FOREIGN OFFICE. AS SUCH, HE IS EN-
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TITLED TO IMMUNITY UNDER THE TERMS OF THE VIENNA CONVENTION

(ARTICLES 31 AND 3712). THEREFORE, HE MUST BE CONSIDERED IMMUNE FROM ANY CRIMINAL PROSECUTION BY THE HOST GOVERNMENT UNLESS IMMUNITY IS EXPRESSLY WAIVED BY THE SENDING STATE, (SUCH IMMUNITY MUST BE AUTHORIZED BY THE DEPARTMENT).

3. IF THE EMBASSY DESIRES ADDITIONAL GUIDANCE ON THIS MATTER, DEPARTMENT LEGAL ADVISER PREPARED TO PROVIDE SAME. KISSINGER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 15 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE270898
Document Source: CORE
Document Unique ID: 00
Drafter: MKDALTON:BS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750398-0180
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751141/aaaabket.tel
Line Count: 69
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN SY
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 WARSAW 7347
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 08 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 APR 2003 by ShawDG>; APPROVED <21 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INCIDENT INVOLVING NCOIC OF MSG COMPLEMENT, WAR- SAW
TAGS: ASEC
To: WARSAW
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006